

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526
and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N #2006-3610-3II -P

22 DECEMBER 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

PAUL BENDIK
c/o CUSTOM DESIGN MARINE CONTRACTING
P.O. BOX 273
NORTH MYRTLE BEACH, SOUTH CAROLINA 29582

for a permit to dredge adjacent to an existing dock facility in the

ATLANTIC INTRACOASTAL WATERWAY

Located at 2711 Shipswheel Drive, Harbourwatch Plantation, in the City of North Myrtle Beach, Horry County, South Carolina (Latitude 33.85636°, Longitude 78.64777°).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 22 JANUARY 2007

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of dredging an area adjacent to an existing dock structure. In detail, the applicant proposes to utilize a track hoe stationed on a barge to excavate 150 cubic yards of material from a 36' X 27' area adjacent to an existing floating dock. The barge will be outfitted with filter fabric along the perimeter in order to prevent any sediment from re-entering the waterway. The barge will transport the material to an area where it can be offloaded onto trucks, which will be lined with filter fabric. The trucks will transport the material to a designated upland site located at Lot #6, Ships Wheel Drive, Harborwatch Plantation, where it will be placed in a filter fabric fence and retained for future use as fill. The purpose of the proposed work is to create a docking slip for the owner's private, recreational use.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a

copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 1300 square feet of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

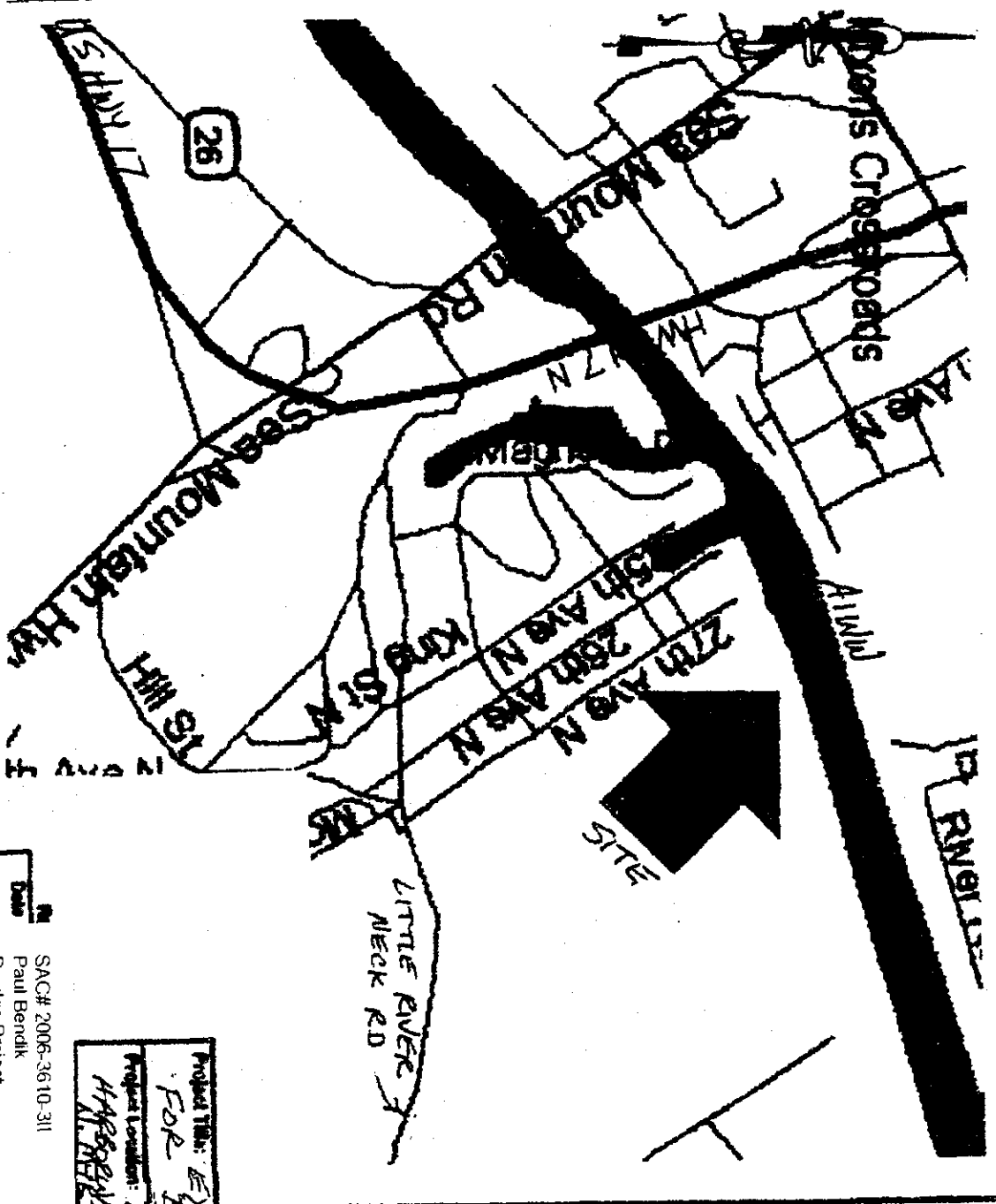
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Tommy Fennel at 843-365-4239.

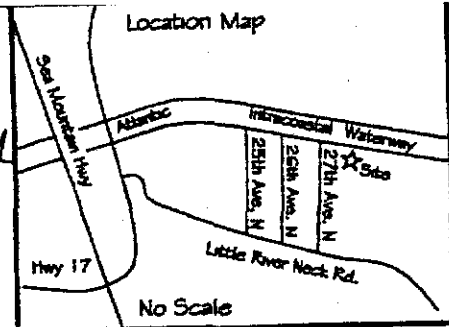
Steve Brooks
Project Manager
SCDHEC-OCRM



Vicinity Map

Project Title: EXCAVATION
FOR BOAT ACCESS
Project Location: LOT 5
HARRISVILLE, ALABAMA
HARRISVILLE, ALABAMA

SAC# 2006-3610-311
Paul Bendik
Dredge Project
2711 Shipswheel Drive
Horry County, South Carolina
December 12, 2006



No Scale



10/18/06

USACE Mon. 350+06.45
240' offset

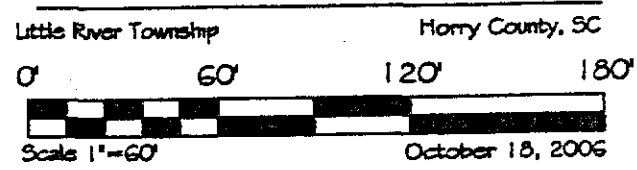
FOR ADDITIONAL TIE LINE AND REFERENCE SEE
A MAP OF HARBOUR WATCH, PHASE I
RECORDED IN FB. 189, PG. 134.

THE PURPOSE OF THIS PLAT IS TO SHOW THE
LOCATION OF EXISTING DOCKS AND DOES NOT
REPRESENT A COMPLETE BOUNDARY SURVEY
BY ME THIS DATE.

Excavation For Boat Access:

Paul Bendik

Lots 5 & 6, Phase I, Harbour Watch



© Norris & Ward Land Surveyors, P.A. 2006

SAC# 2006-3610-311
Paul Bendik
Dredge Project
2711 Shipswheel Drive
Horry County, South Carolina

December 12, 2006

Sheet 2 of 3

2 OF 3
H, SC

PROJECT TITLE
APPLICANT
LOCATION
DATE

ATLANTIC INTRA-COASTAL WATERWAY
320' RW

CENTERLINE
ATLANTIC INTRA-COASTAL WATERWAY
N 73°41'21" E 170.02'

N 16°18'39" W 160.00'
N 16°18'39" W 127.5'
N 16°18'39" W 160.00'
S 16°18'39" E 126.5'

Existing Dock

AREA TO BE
EXCAVATED

Existing Dock

N 73°41'21" E
371.19'

N 73°41'21" E 170.02'

USACE Mon. 355+11.32
230' offset

1/2" Rebar Fd

1/2" Rebar Fd

EXISTING
BULKHEAD

1/2" Rebar Fd

CANAL PRISM LINE

N 70°50'44" E 806.30'

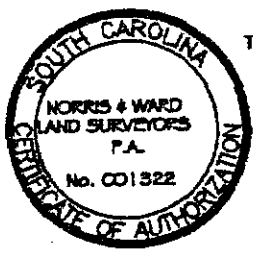
USACE Mon. 355+11.32
230' offset

Jeffrey Badelk
Lot 4
Phase II
TMS# 131-35-01-029

Paul Bendik
Lot 5
Phase I
TMS# 131-35-01-002

Harbour Plantation, LLC
Lot 6
Phase I
TMS# 131-35-01-003

Dale Anderson
Lot 7
Phase I
TMS# 131-35-01-004



SHIPS WHEEL DRIVE
50' PUBLIC RIGHT OF WAY

1/2" Rebar Fd

1/2" Rebar Fd

74.61'
N 45°31'51" E

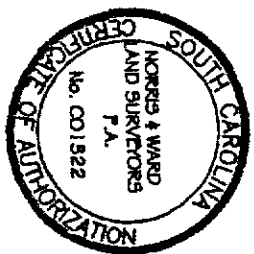
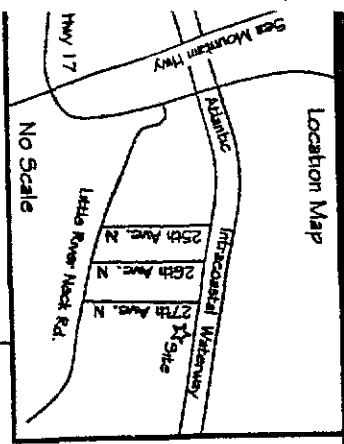


NORRIS & WARD
Land Surveyors, P.A.

Steve M. Norris, P.L.S.
Randy D. Ward, P.L.S.

1301 Thomastown Rd. SW, Calhoun, N.C. 28467

Surveyed By: BJL	060131	©108 575-5806
Drawn By: RDW	FB. 254, PG. 58	SC#
Checked By: SMN		©439 220-8006
WO# 0601-31		©102 575-5806



CENTERLINE
ATLANTIC INTRA-COASTAL WATERWAY

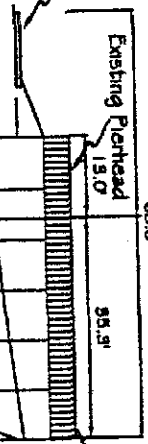
4.0'

Mean High Water
Mean Low Water

Bottom Elevation Vanes

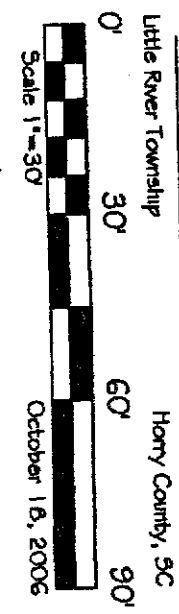
Area To Be Excavated

Existing Floating Dock



ATLANTIC INTRA-COASTAL
WATERWAY RIGHT OF WAY

Edge Of Marsh Grass



Excavation For Boat Access:
Paul Bendik
Lots 5, Phase I, Harbour Watch

Little River Township
Horry County, SC

Signature
10/18/06

PROJECT TITLE: EXCAVATION
APPLICANT: PAUL BENDIK
ADDRESS: 2711 SHIPS WHEEL DRIVE



NORRIS & WARD
Land Surveyors, P.A.

Steve M. Norris, P.L.S.
Randy D. Ward, P.L.S.

1301 Thornabore Rd. SW, Calhoun, N.C. 28467

Surveyed By: DJL File # 060924 (910) 579-5808

SAC# 2006-3610-311
Paul Bendik
Dredge Project
2711 Shipswheel Drive
Horry County, South Carolina

December 12, 2006

Sheet 3 of 3